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**BY ECF**  
**HONORABLE RAYMOND J. DEARIE**  
U. S. District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

February 27, 2015

**Re: United States v. Bebars Baslan**  
**Docket No. 13 CR 220 (RJD)**

Dear Judge Dearie:

This cover letter to Mr. Baslan's sentencing letter, which I have attached, is submitted, with my apology for burdening you at this extremely late-in-the-day submission. I want there to be a full record of my compliance with my client's requests. I decided not to submit a spelling-corrected version, which he also emailed to me last night by CorrLinks, because that would be a spell-checked version only, without any other changes, of the pro se sentencing submission submitted by hand to Your Honor earlier this week, courtesy of the US Marshal and my paralegal Tamara. I will be glad to file that document ECF to be part of the appellate record.

To be clear, Your Honor has already received and reviewed all of Mr. Baslan's sentencing submissions, albeit not spell-checked, as I am informed, but for the attached sentencing letter by Mr. Baslan. If I am in any way mistaken in that belief, I will invite Mr. Baslan to state any clarifications as to whether Your Honor has been presented with the complete

set of papers he intended to file pro se as addenda to my already-voluminous sentencing-related documents that I had filed ECF on his behalf.

My understanding is that, with the additional conclusion that I filed ECF and with the attached sentencing letter, which I have emailed earlier to Ms. Mulqueen and to government counsel, that the Court has the entire kit and caboodle of every conceivable kind of sentencing submissions that I and Mr. Baslan authored separately, and I hope, equally.

I thank Your Honor for your courtesy and consideration, as well as your patience.

Respectfully Submitted,

\_\_\_\_\_/S/\_\_\_\_

Ephraim Savitt

Cc: Clerk of the Court (RJD) (By ECF)

All Counsel (By ECF)

Bebars Baslan (By Hand)

From: BASLAN, BEBARS

Sentencing Letter Feb 26, 2015 8:19 PM

Honorable Judge Dearie,

I started writing this letter 8 months ago, as of week ago all I had to show was "Honorable Judge Dearie", and as of now, this the extent of what it has in common with the standard convention of a sentencing letter.

During these months I helped almost hundred fellow inmates write theirs. Two were quoted in newspapers, and one made it to news outlets in multiple countries. In an odd way, it appears that my dream to get published finally came to be.

No letter however, presented a challenge for me, as this letter did. In my experience most people in prison fit in two categories. First, truly good men who happened to be at the wrong place at the wrong time, and either made an uninformed choice, or in their heart they thought they were doing the right thing. The history, character, and the letters their family writes on their behalf speak loudly to such facts. In this case, the work is limited to convey the sincere apology of the person, a mere translation, or to hand and type it up if the person cannot.

Most others come into the second category, they are here because of one or a series of wrong choices. I believe the task here lies in consolidating the contradiction between what the charges show, and who the defendant really is. In other words taking the time to listen, then attempt to present their story to invoke a bond of empathy with the reader. In most cases this is easy, as human beings, making mistakes is our common ground. The only difference of course, is the scale of mistakes, which is more than anything governed by the background of those who make them. We all make mistakes, we all can relate.

When I consider my case against my own blue print, I realize that ironically, any attempt is futile. In order to write this letter, and make any relative connection, I have to keep in mind how you see me. Naturally, the trouble is that I cannot let go of who I am, which in almost every (but not all) aspects is contradictory to your perception. On the other hand, not to keep both of these considerations in mind, would result in nothing but feeble excuses. Empathy in this case, considering both parties, is out of the questions. Sympathy, is even more unrealistic.

As for the presentation of my background and who I am, I cannot offer much. I do not have the resources to find people I knew and ask them for letters, and if I did, I will not attempt to contact them directly not to appear to be extra-influential, and mainly not bring on an undeserved "pleasant visit" upon their lives. Letters from my parents ( absent anyone putting the time to give them direction ) will most likely result in "my son is innocent", and "if you did your job, he would not have been convicted", which, considering my "European old school" parents' lacking of any malice, will in best view, have no more than a comical affect. I will not do that to them.

So, instead of the customary letter, I will take a chance to clarify few things, and make a much needed

apology, and a request.

~~~~~

In the case of the buffalo allegations. I hold no anger towards Andrea. When I read her words I (putting aside what they say), as odd as it is, I smile. They remind of the last conversations we had.

Andrea had asked me again, in what had become her sardonic tradition every time every time our many conversation ran their course into ideal silence: "What do you like most about 'me'?"

I typically answer "ummm... everything?"

On that day, finding the need to define our friendship I replied "Your smile is what comes to mind first, but the brilliance just comes too easy. It is you, and nothing about it an especially for me, or about us, so no.

"You have mastered that look of admiration that men long to get from women, but you give it to anyone you hope to ensnare.

"So... I think that I like best about you, is how you lie. Your have a silver tongue. No one I had ever met, can tell a tale like you do.

"You were meant to be an actor. Lying to you is the outlet you need every time that talent takes over. I always knew when you lied, and you knew that I knew, but that I chose to revel in your show, as a fan would.

"That is why our friendship works, and that is why we will never break each other's hearts."

Andrea gave her signature guffaw "Your know? This is what I really like about you, is how you know me. Easier for it to be all about me this way."

Even as I painfully realize how wrong my last thought was, I still wish Andrea the best. She was made to steel the spot light and always suffered for it. Everyone around her in envy - even if not always intentionally - begrudged her for who she is. I witnessed her at the peak of her happiness, break down and realize how unhappy she real was. Andrea has one thing with Mr. Savitt, no matter what, on a personal level, they are both very hard not to like.

To Andrea, "I did not do what you claimed I did. Nor that I will coyly imply anything to the sort here, just to make a show of obligatory remorse. I am however, sorry for anything I did to deserve your scorn. And if I did not, then I forgive you. Either way, have no worries, I promise you that in the unlikely event that we ever run into each other, I will make as if I do not know you.

"In all of this, came a blessing. I have what to live for now, I am at peace. I am thankful for many moment in our friendship, and to the gift of countless hours of Ray's 'Empty'. I am also thankful that I

finally no longer feel that song."

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To Cortney, "I hold no grudge. When I first met you I felt a tireless restlessness and lack of peace emanating from you. When I saw you in court, it was no different. Cortney, you always wondered why you could not keep friends, and how you were always betrayed. The premise that a person can be victim to every person around them, and that everyone around us is out to get us, is faulty. I really hope you find peace, develop your talents, and live through them"

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When it was that my mom came to be with child, after 17 years of years of her first one. She regarded it as a miracle, and my dad being a doctor saw the blessing wrapped in much risk. It came to to vote, as it is a scared tradition in our house. My vote in affect the deciding one. I voted to keep my brother. At that time there was a selfish element to it, as I wanted the "attention" my parents put on me divided, and to ease the prospect of my traveling on them, which was all I had in mind back then.

Now it appears it's only good thing I did for my parents. They will have him to be proud of, as I robbed them of that hope when it comes to me. Dad, you are you, my actions do reflect on you, you are a great man, and nothing will take that away. Mom, I am so sorry, that you for my strength, I get it from you, I know, and I am... so sorry.

~~~~~

My main apology goes to Kristen.

When my last day comes, if I still have anyone to receive me, and if my last wishes will hold any accord, my tomb stone shall read:

"To Kristen, I am sorry" ~May we never lose our way~

"The source of the only happiness I ever felt, and the anguish I will never forget, was looking in your eyes during the two years in hell. For it was then, that I first learned what true love is."

~~~~~ Your Honor, attached to this letter, 2 sketches made by Kristen, depicting us before the arrest. My heart breaks when I see the content smile on the stick-figure her. I want to see that smile again, and I would do anything for it. Anyone would see the emotion and heart in these mere strokes of a pen. I wanted Your Honor to have yet another way to see her heart. The same heart soon to on trial. This heart knows no evil.

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To Agent Robertson,

Mr. Savitt spoke highly of you. How you really care about victims. He told me that you are the poster agent for the FBI.

After our arrest, you told Kristen when we were in the bull pen, that you know she did nothing wrong, that you only wanted to help her.

It was stated that she asked for an attorney because she was afraid of being flustered and her saying the wrong thing. How did it become "I want to talk to someone about my options". Why would she worry about being flustered and say the wrong thing to you, then want to talk to another representative of the government about her options. It is clear that she needed an attorney.

I do not know you, nor that I have seen you on the stand, but I have seen Agent Fung. All heard the obtusely stubborn and unnecessarily argumentative testimony she gave. Her goal was solely to advance the case of the government as she understood it. Until she almost done the opposite, and AUSA Smith had to jump and redirect her, at which time she had to, given the begrudging concession that "yes the files were downloaded from the internet". She was the only witness the frustrated Mr. Savitt ( a veteran of cross-examinations ) with the unnecessary run around. I can only imagine what a powerful pressure such a formidable person with a single-predetermined-focus, would have inflicted on Kristen.

When confronted of what would happen to the person she loves, Kristen jumped to take the blame. You yourself stated during the proffer meeting that "we all know what Kristen is" referring to how impressionable she is.

How is that you claimed to protect her from being manipulated by me, yet you stood by and watched her get manipulated by your side. You said in the bull pen that you had children. Kristen had no more choice than a child when it came to this. You care about victims, yet in a case your are involved in, the process created a victim.

You must know that after such pressure she would have signed anything. I know it may be too late now, but I have a feeling that you could be reached. I hope I am right, and that you will do something. I know that deep in your heart, you cannot possibly agree with the plea that she was given.

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Your Honor, thank you for taking the time to read my letter. I hope you take my words to heart. I am truly sorry.

"I wish you know"

Respectfully submitted,  
Bebars Baslan

